

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

WHITMAN 881 – I LLC, WHITMAN 881 – II LLC,
JARIS 110 LLC and DBR MELVILLE LLC

Plaintiff(s)

v.

BERTUCCI'S RESTAURANT CORP. aka
BERTUCCI'S RESTAURANTS, LLC dba
BERTUCCI'S LLC

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* BERTUCCI'S RESTAURANT CORP.
aka BERTUCCI'S RESTAURANTS, LLC dba BERTUCCI'S LLC
4700 Millenia Boulevard
Suite 400
Orlando, Florida 32839

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Anthony W. Cummings, Esq.
CERTILMAN BALIN ADLER & HYMAN, LLP
90 Merrick Avenue – 9th Floor
East Meadow, New York 11554
(516) 296-7000

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DOUGLAS C. PALMER
CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk